

REMARKS

Reconsideration of the present application, as amended, is respectfully requested.

By means of the present amendment, the current Abstract has been deleted and substituted with the enclosed New Abstract which better conforms to U.S. practice.

By means of the present amendment, claims 2-3 and 11 have been amended for better form, such as deleting reference numerals.

Claims 2-3 and 11 were not amended in order to address issues of patentability and Applicant respectfully reserves all rights he may have under the Doctrine of Equivalents.

In the Office Action, the Examiner indicated that claims 15-20 would be allowable if claim 15 is rewritten in independent form. Applicant gratefully acknowledges the indication that claims 15-20 contain allowable subject matter. By means of the present amendment, claim 15 has been written in independent form.

Accordingly, it is respectfully submitted that independent claim 15 be allowed. In addition, as claims 16-20 depend from independent claim 15, applicant respectfully requests that claims 16-20 also be allowed.

In the Office Action, claims 1-3 and 5-14 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. 5,551,077 (Oda) in view of U.S. 5,910,944 (Callicotte). In response, independent claims 1 and 6 have been amended, and claims 21-22 have been added. It is respectfully submitted that claims 1-14 and 21-22 are patentable over Oda and Callicotte for at least the following reasons.

Oda is directed to a portable telephone having a main power source 2 and an auxiliary power source 3 as shown in FIG 1. The auxiliary power source 3 provides power to the entire Oda telephone during failure of the main power source 2.

Callicotte is directed to a radio telephone operable in a slotted paging mode where, prior to entering a low-power sleep mode, necessary timing is calculated in advance to wake up selected portions of the telephone. It appears that the Callicotte has a single power source.

Oda, Callicotte, and combination thereof, do not teach or suggest the present invention as recited in independent claims 1, 6 and 21 which, amongst other patentable elements, recite that the auxiliary power source does not supply power to updating means or a

second clock when the main power source is incapable of supplying power.

Accordingly, it is respectfully submitted that independent claims 1, 6 and 21 are allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 2-5, 7-14 and 22 should also be allowed at least based on their dependence from independent claims 1, 6 and 21.

In addition, Applicant denies any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicant reserves the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

It is believed that no additional fees or charges are currently due beyond the fee for additional claims to be charged to the credit card as noted by the enclosed authorization. However, in the event that any additional fees or charges are required for entrance of the accompanying amendment, they may be charged to applicant's representatives Deposit Account No. 50-3649. In addition, please credit any overpayments related to any fees paid in connection with the accompanying amendment to Deposit Account No. 50-3649.

PATENT
Serial No. 09/829,794
Amendment in Reply to Office Action of July 18, 2005

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

By 
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October 18, 2005

Enclosure: New Abstract

Authorization to charge credit card \$300 for one independent claim in excess of three, and two claims in excess of twenty

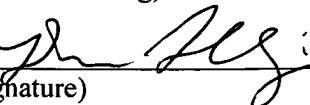
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